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ADDRESS

DELIVERED BEFORE THE

TWO LITERARY SOCIETIES

OF THE

University of North Carolina,

MAY 31st, 1854,

BY

HON. AARON V. BROWN.

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PUBLISHED BY ORDER OF THE PHILANTHROPIC SOCIETY.  
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RALEIGH, N. C.:

PUBLISHED BY WILLIAM C. DOUB.

1854.



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PHILANTHROPIC HALL, CHAPEL HILL, N. C., June 1st, 1854.

SIR:—The undersigned have been appointed a committee in behalf of the Philanthropic Society, to express to you the very great pleasure and gratification they realized on the delivery of your peculiarly interesting and appropriate address before the two Literary Societies of the University on yesterday; and solicit a copy of the same for publication.

In performing this agreeable duty, the committee are desirous of tendering their individual thanks, and adding their personal solicitations to those of the body they represent.

Yours most respectfully,

C. W. YELLOWLEY,
A. B. IRION,
A. B. HILL.

To Gov. A. V. BROWN.

RALEIGH, N. C., June 2nd, 1854.

GENTLEMEN:—I fear that you, as well as the society you represent, over-estimate the address, a copy of which you request for publication. It was prepared in haste, amid the frequent interruptions of private pursuits, and will be found on perusal, trite in its subjects and devoid of that interest, which the exciting scenes transpiring on the day of its delivery, doubtless conspired to give it. I submit it however to your better discretion, with my sincerest thanks to you and to the society which you represent, for the favorable opinion of it which you have been pleased to express.

Very sincerely, yours &c.,

AARON V. BROWN.

To Messrs. C. W. YELLOWLEY, }
A. B. IRION, } Committee, &c.
A. B. HILL. }

ADDRESS.

GENTLEMEN OF THE PHILANTHROPIC AND DIALECTIC SOCIETIES :—

After an absence of just forty years I return to these ancient and consecrated halls: I return upon your kind invitation, here to offer up on the altars of my early worship, renewed vows of devotion and gratitude, to that alma-mater, who in the days of my youth carried me in her arms and folded me to her bosom. During this long pilgrimage I have seen and felt enough to render this sentiment of homage and respect both profound and indelible. Wherever I have been, I have seen no success crown the efforts of her alumni, and no public honors conferred upon them, which might not be fairly attributed to their early discipline in this Institution, and her two Literary Societies. It was here that the foundation was laid for a sound, thorough and practical education. It was here that they were taught to redeem every moment of their time—to put temptation at defiance—to scorn the degradations of vice—to watch, like the eagle, for every opportunity of improvement, and when discovered, however high or far off, like that noble bird, to fly upward to it.

Their eminent success in every profession and pursuit in life, ought to remove every doubt which at any time may have crossed your minds, as to the Institution you have selected. You have heard much of Princeton, of Yale and Harvard, and in moments of gloom and despondence you may have doubted, whether some one of these would not have been better, or might not have opened to you an easier or more certain passport to the honors and emoluments of life. The Presidential mansion, the Halls of both Houses of Congress, the courts and legislatures of half the States of the Union, all unite in quieting every such apprehension.

Wherever the graduates of this Institution have come in collision with those of other Colleges and Universities, they have never retired ingloriously from the conflict. In the arts and sciences they have yielded nothing on the score of genius and talents. At the Bar and on the Bench they have exhibited a learning as varied, profound and accurate. In the Senate Chamber they have displayed an eloquence as lofty and a patriotism as heroic. On the battle-fields of liberty, their swords have gleamed as brightly, and their war-plumes waved as proudly, and when the conflict was ended they have returned with laurels as green and unfading as ever decked the brow of the soldier.

Be then content with Chapel Hill. Walk amid her groves and breathe the pure atmosphere of her almost mountain elevation. If you would be daily inspired with fresh devotion to learning and piety, here you can visit the tomb of Caldwell, the noble founder of the University, and for more than a quarter of a century its brightest ornament. If you would kindle up in your bosoms the patriotic fires of the revolution, look out to the west, where you can almost behold the battle grounds of Guilford and King's Mountain. Nearly in the same range of vision, lies good old Mecklenburg, who threw down the first defiance to British power, and first proclaimed American Independence. Turn your eyes now to yonder eastern summit. There you can look down upon the plain, that stretches off in the distance as far as Yorktown, where the last great battle was fought, and where the American Eagle uttered her loudest notes of triumph and exultation. Surrounded on every side by holy and consecrated memorials like these, who is not compelled to exclaim "this is the place"—the very place beyond all others, where the altars of learning, piety and patriotism should have been erected.

There is, however, another doubt which more frequently comes darkling over the mind of the desponding student. Secluded from the world, trimming with nervous hand, his midnight lamp in his lonely dormitory, he is oftentimes tempted to ask, why all this toil and labor? what good does education bring to its anxious votaries, to compensate them for so many privations in its acquisition? Whether this question be asked under the pressure of exhausted nature, or from the suggestion of an indolent lassitude

which shrinks from exertion of every description, its influence is too paralyzing to be passed over in silence. "What good does Education do?" What good, might be asked, is there in being a man, in all the proportions of dignity and power, instead of the mere dwarf, who, if not too insignificant to invite, is certainly too feeble to resist aggression. But what good is there in physical manhood of the most athletic proportions, without a mind, a spirit, a soul to animate, to elevate, to assimilate to its own divine origin and destination.

But this question is not commonly propounded in a sense so startling to the intelligence of the 19th century. It is intended as an enquiry into the value of *Collegiate* Education over that of self-made man, who often rises to the highest pinnacle of fame by the vigorous exercise of his own native talents. Our argument does not maintain that Education can only be had in Universities and Colleges, but only, that it must come from *somewhere*. It may come from the field, in the intervals of rest from the severe toils of the husbandman. It may come from the workshop of the mechanic, in nightly meditations, when others have given themselves up to inglorious repose. It may come to those who have slighted their opportunities at College, under the very delusion we are now considering, but who, on discovering the infinite error which they have committed, retire with eagerness to the chambers of private study, and by redoubled efforts atone for their former indolence. Franklin did indeed snatch the lightning from the heavens, and Morse sent it flashing round the world, speaking the language of every nation and giving utterance to every thought and sentiment of the human family. But not until they were educated—well and soundly educated—not in the College but out of the College. "Count Rumford did not stand pre-eminent among the Philosophers of Europe, nor did West become President of the Royal Academy at London, until they had passed through a long and severe discipline of reading, reflection and observation. What enabled Whitney to invent the Cotton Gin, now giving more than one hundred millions to the annual products of our country? Where sprang that beautiful and complicated machinery of Arkwright for spinning and of Cartwright for weaving this vast product,

thereby doubling it in value, and greatly diminishing the expense of clothing a large portion of the human family?" These inventions were not the result of untutored ignorance, blindly blundering upon them by accident: *but of Education*; not general Education, it is true, sweeping the whole horizon of the arts and sciences, but Education, mental exercise and discipline, in one especial and particular pursuit. But surely it cannot be necessary to press an argument in favor of Education beyond its own obvious advantages. Society has settled the question. The vast machinery of Universities, Colleges, Academies and common schools which she has set in motion—the throng of intellectual and ingenuous youth who crowd the portals of these institutions—the sighs and regrets of all who have never enjoyed such opportunities—the universal homage and respect paid to educated men, and the indelible impress made by them on all public affairs—and above all, the wonderful and almost magical progress and improvement of our country under these educational influences and appliances, all demonstrate that this question of "what good," is settled, conclusively and finally settled.

There is yet another class of desponding students, to whose fears and apprehensions we would address ourselves on the present occasion. These admit the inestimable value of learning, and are exerting every faculty of body and mind to acquire it, yet the preparation is so tedious and their progress apparently so slow, that they sometimes apprehend that they may be too late in entering on the theatre of life—that the golden moment may have passed—that all the avenues to wealth and fame may be preoccupied by others, and that at last they may fail of that success to which so much toil and labor would seem fairly to entitle them. This, gentlemen, brings me to the distinctive subject which I have selected for our communion on the present occasion. To exhibit (very briefly of course) such a view of the United States—its progress in government—in territory—in its multiplied and daily increasing pursuits and employments, as may have a tendency to inspire young men just entering into life, with encouraging hopes and confidence of success.

THE UNITED STATES, ITS PROGRESS AND IMPROVEMENT IN GOVERNMENT—IN TERRI- TORY—IN ITS INDUSTRIAL EMPLOYMENTS—ITS SCIENTIFIC AND PROFESSIONAL PURSUITS.

The history of the United States, its discovery, settlement and general progress, is but a succession of wonderful events, romantic as anything to be found in the gorgeous stories of Arabian fiction. That there should have been *any United States at all*, is a preliminary wonder that challenges and confounds all ordinary calculations. Where else is it recorded as a reality in human affairs, that a mere handful of men have been collected in haste and disorder as at Lexington and Concord, and a revolution commenced so grand in its operations and so sublime in its results? Without pre-established connection between the colonies—without a ship on the ocean—without a soldier in the field—without a dollar of revenue in their coffers, they bade defiance to the oldest and strongest civilized nation in the world! They were impelled to the perilous deed, by no sudden or brutal outrage such as drove a Tarquin from the Roman throne—by no warlike invasion of their homes and altars, such as Grecian valor was called upon to resist, on the plains of Marathon, or the mountain passes of Thermopylæ! It was the imposition of a mere paltry taxation, neither enormous in amount, nor flagitious in the mode of its collection. Looking at this as the real cause, it would have been better, far better for our ancestors to have paid the duties on a few pieces of stamped paper, or on a few boxes of tea, than to have plunged into a war, so protracted, expensive and bloody. But the noble actors in the soul-stirring scenes of that day, looked far beyond these ostensible and inconsiderable provocations. They knew and felt! heaven inspired them to know and feel, that the hour had come when they should build up an independent Empire in the new world; an Empire wherein the civil and religious liberties of themselves and their posterity should be secured and established forever. Understanding the magnitude of the work, they dedicated to it, “their

lives, their fortunes and their sacred honors." All else was abandoned. The implements of husbandry were left rusting in the field—the ring of the anvil was no longer heard, save in the manufacture of some rude instrument of war—churches dedicated to the Most High were deserted, with no one to minister at their altars—the school houses and the colleges were shut up, and both teacher and scholar hastened to the tented field. Long and dubious was the conflict; when driven from the plains, they took refuge in the mountains; the rocks and the hills became their castles of defence. Sometimes buried in snows—often wasted with disease and threatened with famine. When compelled to retreat from province to province, the enemy would follow them, by the blood trickling from the feet of their bare-footed soldiery. Patiently they suffered every privation, and heroically they fought whenever opportunity furnished the faintest hope of success, until at last the struggle was ended in a blaze of glory on the plains of Yorktown! Full as this subject is of national and individual exultation, it is adverted to here to remind the young men of the present generation of the immense advantages they enjoy in entering upon life with our national liberties firmly established. You have to go through no seven years war in order to establish wise and salutary institutions, under which you might hope to be happy and prosperous. Why, seven years is nearly the third part of the active and busy manhood of life! now thanks to our noble ancestors every thing is prepared ready for our advent. The tree of liberty planted by their valor and watered by their blood, has put forth its branches far and wide, and we have nothing to do but to walk beneath its shade, and gather the rich fruits that cluster on its boughs.

The fortunate and brilliant termination of the war was not, however, the completion of that Republican organization for which it was mainly commenced. Temporary and provisional arrangements had indeed been made, but the great Temple had not yet been built. The Revolution had only prepared its foundation—vast, solid and permanent. The same skillful workmen who laid the foundation were summoned to erect the superstructure. Washington, Franklin, Jefferson and Madison came. Hamilton, Roger Sherman, Rutledge and the Pinckneys were there.

They came fresh from the scenes of the Revolution, with all the hopes and inspirations of that great event. They looked far backward into the history of man, and scrutinized every form of government that had ever been established. They looked forward, also, into the distant future as far as mortal vision is allowed to penetrate. A long succession of ages passed in dim and shadowy review before them. They saw the millions who were to be the future inhabitants of this vast Continent. They gazed with wonder on its lakes and bays and harbors—on its mountains and rivers and luxuriant vallies, until wrapped and inspired by the prophetic vision, they conceived the great design and plan of our present happy form of government. Its adoption constitutes the grandest epoch in the science of government. It was then that man recovered his long lost birthright of self-government, and trampled beneath his feet the odious doctrine that the Kings of the earth had a divine right to govern him, and that it was rebellion against Heaven to resist their oppressions.

The present is no fit occasion for a disquisition on the Constitution so adopted—to analyze its proportions—to decide whether it established a National or Federative Republic—whether sovereignty resides in the people of the United States as one aggregate whole, or in the people of the respective States in their confederate character. To none of these vexed and subtle questions do we now address ourselves, but invoke your attention to the great fact, that so far, it has eminently secured to the people the desideratum required—a sound, healthy and prosperous system of self-government. The great problem has been solved, that man—civilized, educated, moral man—can govern himself, dispensing with the whole system of hereditary monarchy, with its attendant orders of nobility. So complete and undeniable has been the solution of that problem that it has given rise to another: whether those who formed our State and Federal Constitutions did not underrate the capacity of the people for self-government. The question is now being asked, why were the people not permitted to elect the President by their own direct action, without invoking the agency of an Electoral College? Why they were not permitted to elect the two

Senators who are to represent their State sovereignty in the Congress of the United States? If that sovereignty be in them, why the employment of the subordinate agency of the Legislature? So, of the Judges, State and Federal, who are to sit in judgment on their lives, liberties and fortunes. These and similar questions are now presenting themselves in the progress of future constitutional reform. We barely state them with this remark, that however they may be settled, no decision which may be made can detract from that eternal debt of gratitude and honor which we owe to the patriots and statesmen who framed our State and Federal Constitutions. Trained and disciplined as the American people have been, by general education—by the public press, and by the information annually flowing out from the Legislatures of the different States, and from the halls of Congress, it would be no matter of wonder if they were now prepared to venture still nearer to the forms and principles of pure and perfect self-government. The experience of the past should repress all apprehension as to what is to be the decision on any or all of these questions. The people of the United States are fully competent to decide them wisely, as well as all other political questions which the emergency of the times may make necessary. He who has a hearty reliance on the great popular basis on which our government is founded, should never indulge in mournful anticipations of the future. "The gallant mariner does not pale before each gathering cloud, nor tremble when he hears the howling tempest. He knows his ship and that its sturdy sides can stand the dashing waves and ride in triumph through the agitated waters." Not so with the timid and distrustful statesman. He can see danger in every change, and tremble with awe at the very thought of progress and improvement!

Under the benign influences of that form of government which we have just been considering, the United States has made the most wonderful progress in the acquisition of territory and in the accession of States to the Union. At first not one of the old Thirteen which achieved our independence, extended in its effective organization much beyond the range of our eastern mountains. It was not long, however, before new States began to rise like exhalations from the rich soil and genial climate of

the Mississippi Valley. That great River, however, interposed its barrier to all further expansion in that direction. All beyond it belonged to the crown of Spain. The English Government, either from exasperation for the recent loss of her colonies, or from that passion for distant possessions which is yet displayed in India, resolved to acquire that portion of our Continent. Napoleon saw the movement, and to foil and baffle his great enemy, exerted his preponderating influence with the court of Spain and procured it for himself. Soon afterward, by a fortunate negotiation, Mr. Jefferson acquired it by treaty for the United States.

Here was another event in our political history almost marvelous, and scarcely less important than our Independence itself. Louisiana extended from the Gulf of Mexico to the great Lakes of the North. Its base was the Father of Waters from its mouth, with all its meanders, to its very head fountains. If the transfer to England had not been prevented, what disastrous and blighting influence must it not have exerted on the future destinies of the Republic? Where now are Iowa, Missouri, Arkansas and Louisiana, would have been large and powerful provinces belonging to Great Britain. Her large cities might have grown up on the site of St. Louis, or opposite Cairo, to Memphis and to Natchez. Even New Orleans would have been hers, and the mouth of the most magnificent River on the Continent, if not in the world, would have been in her possession. A line of impregnable fortifications, bristling with artillery, might have been everywhere directed against us. With her possessions in Canada on the North, with such as we are now considering on the West, and her Islands on our Eastern coast, the United States would have been environed on all sides, and we should have felt and known that our freedom was but a delusion, and that the battles for independence were only begun, not ended. Well might Mr. Jefferson designate the West as his favorite country, and long should that West offer up to his memory the homage of its admiration and gratitude. Having crossed the Mississippi, the march of Empire was still westward and onward. It passed over the Sabine in the annexation of Texas. It precipitated itself beyond the Del Norte, in the acquisition of California, and

scaling the Rocky Mountains, could only find its termination on the distant shores of the Pacific. What a magnificent country for the future abode of the sons and daughters of Freedom! It offers to them every soil and climate and production. It opens wide the door of welcome admission into every occupation and profession, and guarantees to a life of sobriety, industry and energy, the surest and most eminent success.

But the progress of the United States in territorial expansion has not been more wonderful than the various means which science has invented to obviate the inconvenience of her increasing magnitude. Although as large as the Empire of Rome or that of Alexander, and nearly three times as large as that of France and Great Britain combined, the inventions and improvements of the age have practically compressed her within the dimensions of most ordinary nations.

Her telegraphic instructions can be transmitted in a few moments to her most distant agents. From his head-quarters at Washington, her commanding General, with the rapidity of thought, can give his orders to his army to advance at once on an invading enemy. In the world of commerce and business, correspondence flies on the wings of the lightning, and both principals and factors, though widely separated, understand each other as if they were inhabitants of the same city. In the arts and sciences, every new idea that may become practically useful, is conveyed at once to the mechanic, the operative and the manufacturer. In the legal profession no new principle is adjudicated, and in the medical, no new antidote is discovered to stay the sweeping and desolating scourge, which is not promulgated almost in the twinkling of an eye to the remotest corners of the Republic.

If to the Telegraph we add the facilities of the Railroad, penetrating every valley, and of the Steamboat, navigating all our Lakes and Bays and Rivers, we are compelled to abandon every apprehension of danger from great expansion. May no genuine son of Liberty ever desire it to be less. America may be the last asylum of Freedom to the down-trodden and oppressed millions of mankind. Let her have scope and verge enough for all who understand and revere her principles and implore the

protection of her Eagles. We started with only thirteen: we now have thirty-one States. Why may we not at some future day have fifty or one hundred States, all moving like the constellations of Heaven around the Constitution as their common center! That Constitution was ordained and established for the express purpose of expansibility and progress. It provided expressly for the admission of new States without number, but consecrated the word Equality, for their eternal welfare and preservation. Equality of rights amongst the States—Equality of rights amongst the millions of individuals who are to live under it. Equality! that great word—unknown to the Constitution of any other nation in the world—scoffed at by the titled nobility of other lands—derided by the wealthy, proud and insolent, but here made the foundation of a new social and political system, better securing the civil rights and religious privileges of mankind. Save to us this one word, Equality, and adhere faithfully to a strict construction of the Constitution, and the execution of it according to its plain and obvious import, and we have nothing to apprehend from the wide and growing expansion of our country. No matter how many States may compose it—no matter how diversified their climates, soil and productions—no matter where may be the preponderance of population, nor to what region the sceptre of power may be transferred, give to all, both States and people, their just and equal rights, with the proper means to understand and defend them, and this Government will prove to be the greatest boon ever conferred on the human family.

Let us now turn to the contemplation of our country in her progress in those industrial and professional pursuits into which your preparations here are mainly intended to introduce you. Foremost of all the pursuits of man stands agriculture. It was the original and natural employment of our race. The Patriarchs were successful cultivators of the earth. Among the Romans the proudest patrician thought it no disgrace to live on his farm and cultivate it with his own hands. Cincinnatus was called from the plough to save his country, and having accomplished the great work, resigned the Dictatorship and hastened back to his labors in the field. It is not only the most ancient

employment, but its necessity and usefulness, are the greatest. It is, in fact, the foundation of all others. There can be no commerce, no manufactures, and, indeed, no subsistence without it. In the expressive language of an old adage, "it makes all, pays all, and supports all." But although it is the substratum of all the other pursuits, it has always been the most neglected. A very high degree of education has been considered necessary to those who intended to betake themselves to the learned professions. Some preparation was thought necessary to success in commerce, manufactures and the mechanic arts, but in agriculture, no apprenticeship, no degree of instruction seems to have been thought at all important. Men were to be educated to other things, but they were to be born farmers. How to follow the plough and to handle the axe and the scythe was to be the sum total of the qualifications for the noblest, the most virtuous and the happiest occupation of man.

Happily for our country, however, these rude notions have been rapidly giving way before the advancing intelligence of the age. The establishment of agricultural professorships in some of our colleges, the reports from one of the Bureaus at Washington, the organization of fairs, and the publication of newspapers and periodicals, exclusively devoted to the subject, are beginning to place agriculture rather in advance of any other pursuit or profession. Wherever in the United States it has made its greatest progress, there the relative rank of the planter and farmer, in the social circle, has been the most completely restored. He no longer stands back in conscious inferiority to the lawyer and physician. As well educated as they; as learned in his profession as they are in theirs; remunerated by as large profits, and devoting those profits to hospitalities as elegant and rational, he knows and feels that he is pursuing a calling which may well challenge a comparison with any other. In confirmation of this just claim of equality, he sees all other professions and pursuits beginning to pay homage to the one which he has selected. How many of the learned professions are found, of late years, engaged in the same bold, vigorous and healthful pursuit? How many opulent merchants and manufacturers are retiring in the evening of their days, and engaging in agricul-

ture? Even the statesman, and the warrior pay the same homage to this noble calling. Mr. Webster, in the midst of his highest fame, still looked to his favorite Marshfield, and cherished the hope that he might spend the last years of his life in the cultivation of his fields, and in looking after his herds and his flocks. Mr. Clay clung to the same hope, as to the rich fields, and the verdant lawns of Ashland. Gen. Jackson sighed when he left the precincts of the Hermitage, and exchanged the cultivation of his farm for the executive sway of a mighty empire.

Of all the professions, learned or unlearned, it is best calculated to inspire deep and undying sentiments of patriotism. Standing on his own soil, personally identified with it as his own, the farmer is ever ready to protect and defend it. It may have descended to him from ancestors, whose memory he reveres—the dwelling may have been built or the orchard planted by a father's hand. Here is the green lawn on which he played, the spring, the brook, the grove, the church, all consecrating his home, and inspiring him with attachments which can cease only with his life. Wherever business or other necessity of life, may compel him to roam,

“He still has hope, his long sojournings past,
Safe to return and die at home at last.”

We speak not of him who, inheriting from his ancestors his broad acres and his many servants, commits them all to the superintendence of a selfish and ignorant agency, and betakes himself to the crowded city, to pursue a life of indolence and pleasure, far removed from the invigorating and manly pursuits which we are now commending. We speak rather of him who resides on his farm, or near to it, and directs in person its scientific cultivation; of him who knows personally that his servants are well fed, well clothed, well housed, and well protected against unmerited punishment, inflicted by cruel and capricious subordinates. This is the farmer and planter who is worthy of the name. Such an one soon finds every thing prospering under his enlightened and humane supervision. From ruder constructions and more humble preparation he advances in his improvements, until the convenient and costly edifice, the wide-spreading and verdant lawn, the waving field and the abundant harvest,

give unerring evidence that, in the selection of his pursuit, he was both wise and fortunate.

Connected with agriculture, there are two other pursuits of increasing importance, which claim a large portion of the educated talent of the United States. Geology and mineralogy in the last few years have taken rank in dignity and usefulness with any other science. Those who engage in them are continually startled by the discovery of new facts in the world's history, which inspire them with the most sublime emotions. Whilst charmed by a brilliant succession of discoveries, they are richly rewarded by their practical usefulness in developing the rich mines of gold, silver, copper, iron and other metals essential to the welfare and comfort of the human family. In no age of the world, and in no country, was there ever a wider field opened for well educated professors in these sciences. Nearly every State in the Union, every mining association, and every agricultural community is invoking their presence and assistance. Even here, in your own State, wealth in untold millions lay buried in your mountains for more than half a century after it became inhabited. Geology at last smote the rock, and the hidden streams of individual and national wealth are gushing and pouring out upon you. The employments which these sciences afford are destined to be as permanent as they are lucrative and important. This vast continent is no where fully populated. There are yet mighty regions of it, on which the foot-print of the civilized man has never yet been made. These will open, for ages to come, outlets to the hardy pioneer, the geologist and mineralogist.

Nearly the same observations may be submitted to you in favor of *Civil Engineering*, as one of the comparatively new, but now permanent and lucrative employments of the present advancing state of society. In the new and the old States, we are destined to feel more and more the necessity of improved means of intercommunication. The fiat has gone forth that we must have railroads, canals and unobstructed rivers; that the mountains must be leveled or penetrated; that the ships of war and of commerce must pass through an Isthmus which has separated two great oceans from the morning of the creation; that

no obstructions must prevent, and no difficulties retard these mighty enterprises. Who can safely and successfully guide us to these great results but the educated and accomplished engineer? Our colleges must furnish him. They must endow professorships and all the appliances proper, to enable him to meet the high demands of the age.

The *mechanical and useful arts* seem to have found their favorite home in the United States. It was here that Franklin made those brilliant discoveries in electricity, that placed him in the first rank of the philosophers of the age. It was here that Morse gathered the laurels of immortality in the same science. It was here that Fulton invented the steamboat, and Whitney the cotton gin. It is here, too, that Ericson has introduced his caloric engine, which seems destined in the opinion of many to supercede every other motive power heretofore known to science. Besides these great and capital discoveries, the mechanics of our country are daily making the most valuable improvements upon the old ones, and thus are placing themselves among the greatest benefactors of mankind; yet for them no colleges nor institutes have been erected; no libraries have been founded; no professorships have been endowed, and no degrees conferred upon them, as the incentives of industry and the rewards of merit.

Although the real masters of arts, the *title* is never bestowed upon them. Although truly and profoundly learned in sciences the most practical and useful, yet who ever heard of the title of "Learned Doctor in Mechanics," or that of "Learned Doctor in Agriculture!" The Lawyer who may have made a few profound and able arguments at the bar: the Physician who successfully performs a rare and difficult operation in surgery: the Clergyman who delivers orthodox and eloquent sermons to his congregation, all find the honors of literature showered thickly upon them. Why withhold them from the mechanic whose enterprise and learning in his peculiar science, gave existence to the printing press, justly denominated "the great engine of modern civilization and refinement?" Shall the Geologist, also, have no honors, who opens to us the sublime mysteries of the planet which we inhabit, and brings forth the rich treasures which lie concealed in its bosom? Shall no diplomas likewise

reward the sturdy toil and labor of the agriculturist? He is pursuing the most ancient and honorable profession ever followed by man. It was Adam's profession. It was that of Cincinnatus. It was Washington's profession, and yet even these could not ennoble it. Nothing indeed seems able to rescue all these pursuits, which we have just mentioned, from a supposed inferiority to what have been usually called "the learned professions," upon which alone our collegiate and literary honors are bestowed.

Manufacturers occupy too conspicuous a place among the industrial employments of the United States, to be overlooked in an address like this. Heretofore they have flourished chiefly and almost exclusively in the Northern portions of the Republic. A great change, however, has been taking place in this respect, and the effort now making to introduce them into the South, would seem to challenge our most earnest attention. Looking at the natural advantages and the circumstances favoring their introduction, we cannot withhold the opinion, that the South is eminently suited to the introduction of nearly every branch of this sort of industry. We have the greatest variety and excellence of natural product, animal, vegetable, and mineral. We have unsurpassed water-power for propelling machinery. Our rivers, canals, and railroads furnish every facility of intercommunication. The intelligence, enterprise and moral habits of our people furnish the highest guarantees of our ultimate and final success. But whilst eminently suited to all, the South is mainly directing her efforts to the manufacturing of her own peculiar staple. If she shall be true to her interest, she will never give over her exertions until she shall abstract one-fourth or even one-third of her laborers engaged in the production of the raw material and employ them in manufacturing it. Every stream should be made tributary to her purposes. Every eligible site on her navigable rivers and on her railroads should be occupied. Her capitalists, but chiefly her planters, should be appealed to earnestly to engage in the work. The latter can build the houses necessary with their own hands. Two or three, or half a dozen living contiguously can unite in one establishment. They can select from their own stock of slaves, the most active and intelligent ones, for operatives, without the necessary

advances in money to other laborers. The cost of machinery, and the expense of one or two skillful superintendants and instructors, will be nearly the actual outlay of capital for the business. Under such a system as this, the planter can realize the profits not only of production, but those of manufacturing. Besides this, the abstraction of so much labor from the production, would give an elevation and steadiness of price to the raw material, which would better justify its cultivation.

Here is a wide and noble field opened to the cultivated talent of the young men of the South, which they should be proud to explore. We hold it to be a libel on our own countrymen to say that they have not the requisite talent and enterprise to enable them to succeed, and that they must continue to depend on others, on this or the other side of the ocean.

From her industrial employments, let us now turn to contemplate the progress of our country in those professional pursuits, into which your preparations here, are no doubt mainly intended to introduce you. Foremost among these, and indeed the only one we shall consider, stands the Profession of the Law.* Foremost, because of the deep and lasting impress it has made on all of our American institutions. In the discussion of those great questions, which resulted in the declaration of Independence. In the old Congress that formed the Constitution and in the State Legislatures that ratified it, the men of this profession surpassed all others in the extent and variety of their learning, and in that bold and thrilling eloquence which the occasion demanded. It has furnished every President of the United States except two. It has furnished a majority of every Cabinet and a long list of eminent attorneys-general. It has had entire possession of course of the Judicial department, both State and Federal. In the Halls of Congress and in the Legislatures of the respective States, its power and influence has been scarcely less signal. It would be difficult to specify a single great problem in legislation, which did not owe its final solution to the talents and eloquence of men distinguished in this profession. Offering to her votaries honors so high and daz-

* Quotations are freely made on this subject from an address lately delivered to the law class of the Cumberland University, Lebanon, Tennessee.

ing, no wonder they should throng and crowd her portals for admission.

But they will enter in vain, in the present advanced and improved condition of our country, unless they bring with them the fixed and unalterable determination to make themselves emphatically and truly profound and able Lawyers. The times have gone by, for merely skimming over the profession, comprehending a few only of its general principles, and acquiring some slight familiarity with its details in practice. No. He must dive into its hidden depths, penetrate its secret arcana, and bring up the pure and sparkling waters from the very bottom of the well of knowledge. He who undertakes to master this first and noblest of human sciences, should also fully comprehend the magnitude of the work. It embraces Law in its widest and most comprehensive sense. The Laws of God—of nature—of nations—of independent States: under the latter—the common law—the statute law—the constitutional law—the commercial law—the law of real estates—of descents. In fine it embraces all law, human and divine, and challenges the profound study of years to comprehend and expound them. But even these are not all the studies of the Lawyer. There are others collateral and incidental which must by no means be neglected. He must make himself well acquainted with history, both ancient and modern. Especially should an American Lawyer be familiar with the history of his own country, with our revolutionary history, with the discussion and events which led to the first confederation of the colonies, with the debates on the formation of the Federal constitution and its subsequent adoption by the States, and the debates in Congress, *on leading topics*, since that period. All these illustrate the true nature of our government and shed a light on its laws and institutions which the lawyer who deserves the name must fully comprehend.

Vast as this amount of hard and severe study may seem to be, still more remains to him who would shine with the steady brilliancy of the truly great Lawyer. He will have spent many years almost in vain if he shall have neglected the art of speaking. To be the finished Orator at the bar, in the pulpit, the Senate chamber, or the lecture room, he must be master of logic

and rhetoric. These are auxiliary to true eloquence, and when combined with it, have exalted man above all other attainments and achievements in life. This ethereal, this almost God-like faculty is especially necessary in criminal cases. In capital ones, the responsibility is immense. That vital spark which God has given is committed to the hands of the advocate, to preserve it alive or to extinguish it forever. One argument omitted, it is lost! one bold, fervid and eloquent appeal, and it is saved! He who sways the sceptre of an Empire or wears the sword of a conqueror, enjoys no prouder triumph than he who overcomes the unconscious prejudices of both Judge and jury, and by the magic power of his eloquence snatches his client from the very jaws of perjury and the grave.

If it be asked what lifetime will be long enough, and what constitution of body will be strong enough, to acquire this vast fund of knowledge, we can only point to the numerous instances of eminent Lawyers and Judges who have attained to the high standard which we have here erected. It is however undeniable that many have fallen and perished on the way side. Whilst with one hand they were sowing the rich seeds of knowledge, with the other they were scattering those of disease and death. Physically unable to go through so many years of hard preliminary study or to sustain the Herculean labor of a large and lucrative practice, or to preside through long and perplexing terms in the administration of justice, they have been too frequently summoned, in the very mid-way of life, to a premature grave.

I congratulate the age and the profession upon the dawn of a most auspicious change in the arduous toils of preliminary preparation and of the subsequent practice of the law.

The great reforms now everywhere beginning to be called for, will go far to remedy the physical inability which has cut short the career of some of the master spirits who have adorned the profession.

The present state of jurisprudence, in most of the States of the Union, has long been the subject of the most serious complaints. The arbitrary division of rights into legal and equitable, and the establishment of separate structures, to maintain and

perpetuate these idle and injurious distinctions—the investigation of one division of rights by oral testimony in one court, and another division in another court by depositions—the inability of another court to complete justice in many cases, without the aid of the organization and process of the other—the constant mistakes as to the proper court in which relief is to be asked, arising from the unsettled and changing boundaries of their jurisdictions—the impossibility of determining the proper jurisdiction in many cases until the proof shall have been heard—the double set of costs accruing, and the double delay incurred—the frequent taxation of costs on the party entitled to a recovery, and who does in fact ultimately recover—all unite to keep alive a spirit of discontent in the popular mind. Plain men go into the courts and there hear almost endless discussions upon questions which they regard as utterly frivolous. They see their own and the public time consumed in settling questions about amendments, pleading, jurisdiction, &c., and the causes taken up and reversed against the justice of the case, upon some point whose force they cannot see when settled. They understand not much of this technical routine, but they see plainly that the result is disastrous to a cheap and speedy administration of justice.

This state of popular feeling has existed in different ages, and wherever these systems of common law and equity proceedings have been in existence. It results necessarily and inevitably in as great a delay and cost as any system which the wit of man could easily devise. If it were made on purpose to spin out every judicial controversy to the greatest possible length, it is not easy to see how it could be made more fully to accomplish that object. Every lawyer knows that the two systems had their origin in accidental and fortuitous circumstances many centuries ago—that it sprang out of an attempt to correct the crudities and absurdities of the common law courts. The prolonged controversy between priests and common law lawyers built up two structures, which have now grown to be stupendous fabrics, which if venerable for their age, are not wholly exempt from much of folly and absurdity. The great English Poet, living under operation of this system, makes Hamlet repeat what was but the echo of public sentiment even in his day :

“The oppressor’s wrong, the proud man’s contumely;
 The pangs of despised love, *the law’s delay*,
 The insolence of office, and the spurns
 That patient merit of the unworthy takes.”

The noble Dane seems to have thought that *the law’s delay* was one of the “whips and scorns of time” which could only be escaped by taking refuge in the grave. Whilst Hamlet spoke thus on the English stage, Lord Coke, that dry and hard old lawyer, was giving utterance to the following sentiments: “When I consider the course of our books and terms, I observe that more jangling and questions grow up on the matter of pleading and exceptions than on the matter itself, and that infinite causes are lost and delayed thereby.” We suppose my Lord Coke to have long since departed this life, but certain it is that the evil which he discovered, is yet alive in confirmed health and vigor. Wrangling about pleadings more than about the matter or merits themselves! Infinite causes lost or delayed by it! And yet we are told that any attempt to overthrow this system must result in confusion. Confusion! to make a statement of the facts in pleading, in plain, concise and intelligible language, instead of the obsolete law language in which the parties are required now to speak, under the penalty of costs and delay, if not expulsion from the court! This cry of confusion was raised against the one hundred lawyers, headed by Chancellor Brougham, who commenced this great reform in England. It was raised against those who commenced it in New York. “To rest as we are,” said Judge Curtis, now of the Supreme Court of the United States—“to rest as we are, is to continue to impose on the people a burden of delays, expense and vexations, which in our judgment necessarily grows out of the present state of things.” The Legislature of Massachusetts, in 1851, abolished all the distinctions of actions, retaining only that between contracts and wrongs, and in 1853 passed a bill of five sections applying equitable remedies to suits at law. The last of this mutilated system was swept by this statute to the receptacle “of things lost upon earth.”

If these suggestions, borrowed chiefly from an eminent jurist (Judge Humphreys,) who is heading the movement in favor of

law reform in my own State, be too thorough and radical, still much can be done, and should be done, to rid this noble profession of its antiquated forms, and to bring it within the compass of an ordinary constitution to encounter its labors.

There is but one other pursuit, or profession, which the brevity proper for such an address as this will allow us to mention. It is the science, or profession, of legislation and statesmanship. It embraces within its ample folds not only those who are engaged in political affairs, but in fact the whole American people. According to the theory as well as the practice of our government, its highest offices may be filled by the most humble and obscure individual. Every man may therefore be considered, in the language common to most other countries, as "heir apparent to the throne." He may at any time be "raised to the peerage," and by the voice of his fellow-citizens, not less potent than the royal patent, take his seat in that House of Lords, the American Senate. He may be elected to the House of Representatives in Congress, or become the Governor of one of the States or a member of its Legislature. The vast number annually elected and re-elected to those high and responsible offices, constitute no inconsiderable portion of the people of the United States, and exert a most powerful influence over their affairs. It is more than probable that a large majority of the young gentlemen who now surround me, are hereafter to engage in this profession, and are to become the future legislators and statesmen of the land. Would that I could repay them for the honor conferred upon me on the present occasion, by delineating the character of a truly great statesman—portraying that lofty sense of true honor—that unceasing attachment to the interest and cause of the people—that never dying devotion to piety, virtue and patriotism, which should distinguish his every action!

But time will not allow me to enter on a theme so inviting and brilliant. Whether you engage in this or any other of the employments and professions which we have enumerated, you should never permit the gloomy shadows of despondence to pass over your firm and fixed resolves. To doubt, is to fail—to resolve boldly is to be successful. Nor must you be content with mere mediocrity of attainment. By you who enjoy the advantages

of such an institution as this, the very word mediocrity should be scorned ! In this age, you must not, you dare not fall below the highest standards. It is the age of progress—of improvement in every science, in every art, in every profession. It is that very progress which is making your University the pride and boast of the South, and drawing to it annually, as you witness this day, the most eminent scholars and jurists of the State.

And now, gentlemen, I have submitted to you all that my leisure enabled me to prepare and all indeed, that the occasion seems to require. I retire from this consecrated scene of early life, breathing the humble prayer, that Earth may have no happiness and Heaven no blessings which may not be bestowed upon you and on this large assembly, who have honored us by their presence.

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